REMARKS/ARGUMENTS

Status of the Claims

As an initial mater, Applicants point out to the Examiner that the amendments and arguments made by the Applicants in the previous response dated March 9, 2009, where not addressed by this Office Action. Specifically, the previous amendment to claims 1 and 2 of "extracting pictures of one or more specific types in frames or fields from the first image signal without decoding the first image signal". As such, Applicants respectfully request that the amended claims be examined, and the remarks be considered.

Claims 1-7 and 9-14 are currently pending in the application. No claims have been amended. No claims have been added. No claims have been cancelled. Therefore, claims 1-7 and 9-14 are present for examination. Applicants respectfully request reconsideration of this application as amended.

Rejection under 35 U.S.C. § 103, Sato in view of MacInnis

Claims 1-6 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0106024 A1 issued to Sato et al. ("**Sato**") in view of U.S. Patent Publication No. 2003/0215018 A1 issued to MacInnis et al.("**MacInnis**").

The Office Action concedes that "Sato does not explicitly teach the bit rate of the image signal being set higher than the decoding rate of the first decoder." (see Office Action mailed August 14, 2008 (the "Office Action") at page 4, paragraph 3). Instead, the Office Action cites MacInnis as teaching such a feature. Specifically, the Office Action relied on paragraph 0037 of MacInnis to disclose this feature. Paragraph 0037 and Figs. 1 and 2 of MacInnis are reproduced below for the Examiners convenience:

> Referring again to FIG. 1, at the decoder 145, uniform length reconstructed frames 205, e.g., 720 [x] 480 pixels, are displayed at a constant rate. In order to display the video sequence 105' in real-time, each picture 210 is decoded in uniform lengths of time, to at least some degree. Therefore, *pictures 210 with a large number of*

bits generally utilize a much higher decoding rate than the average decoding rate which can be inferred from the transmission bit rate and the display bit rate. In some cases, the peak decoding rate required for decoding and displaying video sequences in real time can be as high as 750-1000 Mbps. (emphasis provided).

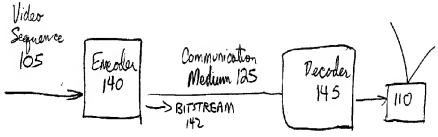

FIGURE 1

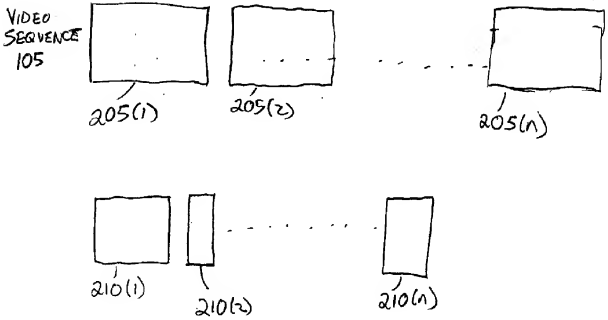

FIGURE 2

Nonetheless, MacInnis fails to teach or suggest that "the second bit rate of the first image signal being set higher than the first bit rate of the subset image signal" as recited by claims 1 and 2. Instead, MacInnis simply gives a brief explanation about a general decoder. Specifically, MacInnis at paragraph 0037 discloses that "pictures with a large number of bits generally utilize a much higher decoding rate than the average decoding rate." In other words, the amount of data in some pictures is sometimes larger than the amount of data in an average sized picture, and so the decoding rate of the decoder should operating at a higher rate than the average rate. Furthermore, with regard to the decoding capacity in MacInnis, the encoding bit stream in another format (original format) by which decoding load can be reduced is executed before decoding is performed in order to slightly ease the strict decoding capacity conditions (see pre-processor 425 in Figs. 4 and 5).

In contrast, with regard to claims 1 and 2, when the transcoder executes transcoding of an image signal, (i) the load in processing is lowered by reducing the frame rate from the original stream of the image signal, (2) the frame rate is reduced without decoding the original stream of the image signal, that is, the frame rate reduction is executed before decoding, (3) the processing speed is increased by shortening the interval between streams in which the frame rate is reduced in the above (2) and supplying the shortened interval stream to the decoder, and (4) the decoder is able to decode the streams in which the frame rate is reduced as is, without any other special processing.

The above mentioned signal processing of (1) - (4) for transcoding the image signal is recited by claims 1 and 2, and is not disclosed anywhere in MacInnis or Sato. Furthermore, in claims 1 and 2 encoding by a pre-processor, as in MacInnis is not required.

Thus, for at least these reasons, claims 1 and 2 are believed to be allowable over Sato in view of MacInnis, either individually or when combined in any combination. Furthermore, dependent claims 3-7 and 9-14 depend from claims 1 or 2 and therefore are believed to be allowable over Sato in view of MacInnis at least by virtue of their dependence from an allowable base claim.

Rejection under 35 U.S.C. § 103

Claims 7 and 9-14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato in view of MacInnis, and further in view of U.S. Patent Publication No. 2002/0181588 A1 issued to Okada (**"Okada"**).

Okada, Sato and MacInnis, each fail to teach or suggest elements described above with respect to claims 1 and 2. Thus, dependent claim 7 and 9-14 which depend from claims 1 or 2 are allowable at least by the virtue of being dependent on an allowable base claim. Accordingly, Applicants respectfully request that the rejection of claims 7 and 9-14 be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. Applicants do not acquiesce to any objection, rejection, or argument not specifically addressed herein. Rather, Applicants believe the amendments and arguments contained herein overcome all objections, rejections, or arguments.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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